

WEDNESDAY, APRIL 4, 2012

SIXTY-EIGHTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Reverend Adric Lane, Greater Revelations Missionary Baptist Church, Nashville, TN.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 667 Rep(s). Lundberg, Coley, R. Williams, Ragan, Hill, McManus, Sargent, Holt, Elam, Watson, Sparks and H. Brooks as prime sponsor(s).

House Joint Resolution No. 850 Rep(s). Maggart as prime sponsor(s).

House Bill No. 177 Rep(s). P. Johnson as prime sponsor(s).

House Bill No. 1069 Rep(s). H. Brooks, Watson, Favors, Todd, Evans, Moore and Halford as prime sponsor(s).

House Bill No. 1959 Rep(s). Swann as first prime sponsor(s).

House Bill No. 2188 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2296 Rep(s). Hardaway, Moore, Brown and Favors as prime sponsor(s).

House Bill No. 2329 Rep(s). Pruitt, Gilmore, Evans, Dean, Lollar and Forgety as prime sponsor(s).

House Bill No. 2368 Rep(s). Roach, Ford, Womick, Lollar, Shipley and Dean as prime sponsor(s).

House Bill No. 3175 Rep(s). Sparks as prime sponsor(s).

House Bill No. 3274 Rep(s). Roach, Ford and Parkinson as prime sponsor(s).

House Bill No. 3365 Rep(s). Hardaway, H. Brooks, Evans, Moore, Favors, Roach, Watson and Todd as prime sponsor(s).

House Bill No. 3520 Rep(s). Holt, Montgomery, McDaniel and C. Johnson as prime sponsor(s).

House Bill No. 3671 Rep(s). Ramsey as prime sponsor(s).

House Bill No. 3703 Rep(s). P. Johnson as prime sponsor(s).

House Bill No. 3760 Rep(s). Cobb as prime sponsor(s).

House Bill No. 3761 Rep(s). K. Brooks and Marsh as prime sponsor(s).

House Bill No. 3835 Rep(s). Dennis as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). J. Turner was/were removed as sponsor(s) of **House Bill No. 2212**.

On motion, Rep(s). Coley was/were removed as sponsor(s) of **House Bill No. 2315**.

On motion, Rep(s). Coley was/were removed as sponsor(s) of **House Bill No. 2324**.

MESSAGE FROM THE GOVERNOR April 3, 2012

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 798, 799, 800, 801, 802 and 809; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

ENROLLED BILLS

April 3, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 811, 813, 814, 815, 819, 820, 821, 822, 825, 826, 827, 845 and 848; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED

April 3, 2012

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 811, 813, 814, 815, 819, 820, 821, 822, 825, 826, 827, 845 and 848.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 3, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2140, 2625, 2910 and 3588; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 3, 2012

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 811, 813, 814, 815, 819, 820, 821, 822, 825, 826, 827, 845 and 848; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

April 3, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2196, 2226, 2407, 2466, 2467, 2468, 2656, 2765, 2853, 2933, 3023, 3094, 3550 and 3781; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 3, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 811, 813, 814, 815, 819, 820, 821, 822, 825, 826, 827, 845 and 848; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 3, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 2196, 2226, 2407, 2466, 2467, 2468, 2656, 2765, 2853, 2933, 3023, 3094, 3550 and 3781.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 3, 2012**

The Speaker announced that she had signed the following: Senate Bill(s) No(s). 2140, 2625, 2910 and 3588.

**MESSAGE FROM THE SENATE
April 3, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 674, 702, 705, 706, 707 and 708; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 3, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 674, 702, 705, 706, 707 and 708.

**MESSAGE FROM THE SENATE
April 3, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2302, 2908, 3195, 3233, 3547, 3567, 3608, 3616, 3653 and 3727; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2302** -- Teachers, Principals and School Personnel - As introduced, establishes new route to licensure to teach in grades 9-12 for persons who have taught in certain postsecondary institutions. - Amends TCA Title 49, Chapter 5. by *Summerville, *Gresham, *Kelsey, *Johnson. (HB3098 by *Hensley)

***Senate Bill No. 2908** -- Municipal Government - As introduced, removes prohibition on creation of municipal school districts. - Amends TCA Section 6-58-112. by *Norris. (HB3234 by *McCormick, *Forgety, *Sanderson, *Eldridge, *Carr, *Hawk, *McDaniel, *Lundberg, *Casada, *Williams K, *Rich, *Todd, *Lollar, *Coley, *White, *McManus)

Senate Bill No. 3195 -- State Employees - As introduced, allows state employee upon retirement to keep such employee's photo identification card issued by the state; requires sticker or other designation to be placed on the card; specifies such card may be used as valid photo id for voting purposes. - Amends TCA Section 2-7-112 and Title 8. by *Yager, *Ketron, *Haynes, *Barnes, *Tracy, *Stewart, *Tate, *Herron. (*HB3195 by *Cobb, *Matheny, *Sontany, *Jones S, *Shepard, *Pitts, *Gilmore, *Favors, *Cooper B, *Bass, *Curtiss, *Shaw, *Dean, *Sargent, *Sparks, *Turner J, *Alexander, *Richardson, *Hensley, *Miller L, *Harrison, *Ford, *Faison, *Hall, *Sexton, *Hawk, *Roach, *Dunn, *Montgomery, *Armstrong, *Tindell, *Windle, *Maggart, *Niceley, *Swann, *Shipley, *Holt, *Williams K, *Halford, *White, *Coley, *Sanderson, *Lollar, *Naifeh, *DeBerry L, *Fitzhugh, *Towns, *Camper, *DeBerry J, *Parkinson, *Hurley, *Ramsey, *Forgety, *Weaver, *Matlock, *Harmon, *Keisling, *McDaniel, *Eldridge, *Tidwell, *Brooks H, *Ragan, *Lundberg, *Powers, *Hill, *Campbell)

Senate Bill No. 3233 -- Industrial Development - As introduced, includes land, improvements, and machinery used or suitable for use in the production, treatment, processing, or transportation of biofuels and other similar products in the definition of "project" under the provisions governing projects by industrial development corporations. - Amends TCA Title 7, Chapter 53. by *Overbey. (*HB3396 by *Swann)

Senate Bill No. 3547 -- Food and Food Products - As introduced, authorizes the sale of food and food products cooked or produced in a home kitchen if vendor has a sign announcing that a home kitchen was the source of such food or food products. - Amends TCA Title 53, Chapter 8, Part 1. by *Crowe, *Ramsey, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tracy, *Watson, *Yager. (*HB3302 by *Hill, *Evans)

***Senate Bill No. 3567** -- Special License Plates - As introduced, directs the legend of animal friendly new specialty license plates to bear "Spay/Neuter"; plates to be issued only after exhaustion of existing stock. - Amends TCA Title 55, Chapter 4. by *Marrero, *Ford. (HB3703 by *Odom, *Sargent, *Johnson P)

***Senate Bill No. 3608** -- Privacy, Confidentiality - As introduced, classifies consumer specific energy usage data as a private record. - Amends TCA Title 10, Chapter 7, Part 5. by *Haynes, *Southerland. (HB3758 by *Sontany)

Senate Bill No. 3616 -- Regional Authorities and Special Districts - As introduced, clarifies definition of "authority" in provisions governing regional transportation authorities to include reconstituted authority of Middle Tennessee; removes reference to power of regional transportation authorities to condemn property pursuant to the provisions governing such authorities in furtherance of mass transit and transportation plans. - Amends TCA Title 29, Chapter 20 and Title 64, Chapter 8. by *Tracy. (*HB3627 by *Johnson P)

***Senate Bill No. 3653** -- Environment and Conservation, Department of - As introduced, requires commissioner to establish management systems to achieve goal of issuing permits within 90 days of submission; requires commissioner to prepare efficiency reports; requires notification to applicant within 30 business days if application is incomplete. - Amends TCA Title 4, Chapter 3, Part 5 and Title 68. by *Southerland, *Ramsey, *Ketron, *Overbey. (HB3689 by *Hawk)

Senate Bill No. 3727 -- Hospitals and Health Care Facilities - As introduced, requires board for licensing health care facilities to promulgate rules requiring emergency room personnel to be trained in advanced cardiovascular life support by January 1, 2013. - Amends TCA Title 68. by *Herron, *Ford. (*HB3407 by *Shepard)

MESSAGE FROM THE SENATE
April 3, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 646, 689, 712, 713, 714, 715, 716, 717, 718, 719, 720 and 721; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 646** -- Naming and Designating - Designates May as "Tennessee Jewish Heritage Month." by *Berke, *Finney L, *Herron, *Kelsey, *Kyle.

***Senate Joint Resolution No. 689** -- Highway Signs - "Paul Easter Bridge," Midtown interchange on I-40 in Roane County. by *Yager.

Senate Joint Resolution No. 712 -- Memorials, Retirement - Col. David L. Evans. by *Overbey, *McNally, *Crowe.

Senate Joint Resolution No. 713 -- Memorials, Recognition - Hannah Rials, 2012 Youth Leadership Award. by *Overbey.

Senate Joint Resolution No. 714 -- Memorials, Recognition - Virginia Hardwick, 2012 Community Leadership Award. by *Overbey.

Senate Joint Resolution No. 715 -- Memorials, Recognition - Steve Bowers, Jackson Man of the Year. by *Finney L, *Herron.

Senate Joint Resolution No. 716 -- Memorials, Recognition - Joseph and Odette Novak, Pickett Care and Rehab Hall of Fame. by *Yager.

Senate Joint Resolution No. 717 -- Memorials, Recognition - James D. Cope. by *Yager.

Senate Joint Resolution No. 718 -- Memorials, Death - Fred White, Jr. by *Yager.

Senate Joint Resolution No. 719 -- Memorials, Recognition - Roane State Community College. by *Yager.

Senate Joint Resolution No. 720 -- Memorials, Recognition - The Singing Cookes, 50th anniversary. by *Yager.

Senate Joint Resolution No. 721 -- Memorials, Public Service - Senator Roy Herron. by *Finney L, *Kyle, *Berke, *Barnes, *Marrero, *Harper, *Tate, *Henry, *Stewart, *Burks, *Ford, *Haynes, *Faulk, *Norris, *Overbey.

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2870; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 2870** -- Fire Prevention and Investigation - As introduced, requires specified disclosures related to fire suppression and other related services on residential real estate disclosure form; must identify organization that provides such services; such organizations must respond to request for information necessary to complete the form within 10 business days of request for information. - Amends TCA Title 5, Chapter 17; Title 12, Chapter 3; Title 66, Chapter 5 and Title 68, Chapter 102. by *Southerland, *Barnes. (HB3567 by *Sanderson, *Johnson P)

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 738; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 738 -- Memorials, Recognition - Commends Tennessee's libraries and Tennessee Library Day. by *Johnson, *Henry.

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3397; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 3397** -- Short Term Loans and Lenders - As introduced, requires pawnbrokers to have a computer system in operation to log certain information if so requested by a law enforcement agency; to photograph their inventory and retain such photographs for two years; and to take certain thumbprints from the pledgor. - Amends TCA Title 4; Title 39 and Title 45, Chapter 6, Part 2. by *Massey, *McNally, *Burks. (HB3822 by *Carr)

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3792; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2505; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2683; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 731; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 731 -- Memorials, Recognition - Joseph A. Swann. by *Overbey, *McNally, *Herron, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *Norris, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3581; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 722 and 726; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 722 -- Memorials, Public Service - Senator Andy Berke. by *Finney L, *Kyle, *Barnes, *Marrero, *Harper, *Tate, *Henry, *Stewart, *Burks, *Ford, *Haynes.

Senate Joint Resolution No. 726 -- Memorials, Death - J. H. "Tommy" Dykes. by *Faulk.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Wirgau was recognized in the Well in order to introduce the 2012 Hostess Princess of the 59th Annual World's Biggest Fish Fry in Paris, Tennessee, Katelyn Suzanne Hamlin, and her court, Ms. Rachel Edwards, Ms. Kaylee Nicole Clark, Ms. Hannah Michelle McFadden and Ms. Shelby Beloate, as well as the General Manager of Paris, Tennessee, Micky Eaton, who was recognized for remarks, and Assistant General Manager Andrea Lamb.

RESOLUTION READ

The Clerk read House Joint Resolution No. 775, previously adopted on March 19, 2012, which honored and congratulated Katelyn Hamlin on being named 2012 Hostess Princess of the 59th Annual World's Biggest Fish Fry in Paris, Tennessee, and likewise honor Rachel Edwards, Kaylee Clark, Hannah McFadden, and Shelby Beloate on being named to the 2012 Hostess Princess Court,

House Joint Resolution No. 775 -- Memorials, Recognition - 2012 Worlds Biggest Fish Fry, Hostess Princess Court. by *Wirgau.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 232** -- General Assembly, Directed Studies - Urges the comptroller of the treasury to consider conducting a random review of development districts in this state. by *Williams R.

House State and Local Government Committee

***House Resolution No. 233** -- Highway Signs - Designates "Bill Harmon Esplanade" in Nashville. by *Johnson P.

Previously referred to the House Transportation Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 5, 2012:

House Resolution No. 234 -- Memorials, Interns - Gavin Mosley. by *Sargent.

House Resolution No. 235 -- Memorials, Interns - Shante Audrey Piche. by *Sargent.

House Joint Resolution No. 853 -- Memorials, Academic Achievement - Jami Reece, Valedictorian, Red Boiling Springs High School. by *Weaver.

House Joint Resolution No. 854 -- Memorials, Academic Achievement - Morgan Burgener, Valedictorian, Red Boiling Springs High School. by *Weaver.

House Joint Resolution No. 855 -- Memorials, Academic Achievement - David Williams, Jr., Valedictorian, Red Boiling Springs High School. by *Weaver.

House Joint Resolution No. 856 -- Memorials, Academic Achievement - Kristin Davis, Valedictorian, Red Boiling Springs High School. by *Weaver.

House Joint Resolution No. 857 -- Memorials, Academic Achievement - Matthew Brockett, Salutatorian, Red Boiling Springs High School. by *Weaver.

House Joint Resolution No. 858 -- Memorials, Recognition - Dr. Martin Luther King, Jr., Avenue in Memphis. by *Hardaway, *Miller L.

House Joint Resolution No. 859 -- Memorials, Sports - Anfernee "Penny" Hardaway, Lester Middle School Lions basketball team, 2012 Small Schools Tennessee State Championship. by *Hardaway, *Miller L.

House Joint Resolution No. 860 -- Memorials, Sports - Riverdale High School Lady Warriors Basketball Team, Class AAA State Champions. by *Womick, *Carr, *Sparks.

House Joint Resolution No. 861 -- Memorials, Professional Achievement - Dr. L. Anthony Wise, Jr. by *Armstrong, *Tindell, *Dunn, *Brooks H, *Haynes, *Hall, *Niceley.

House Joint Resolution No. 862 -- Memorials, Interns - Tony Bernard Mitchell, Jr. by *DeBerry L, *Naifeh.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 5, 2012:

Senate Joint Resolution No. 712 -- Memorials, Retirement - Col. David L. Evans. by *Overbey, *McNally, *Crowe.

Senate Joint Resolution No. 713 -- Memorials, Recognition - Hannah Rials, 2012 Youth Leadership Award. by *Overbey.

Senate Joint Resolution No. 714 -- Memorials, Recognition - Virginia Hardwick, 2012 Community Leadership Award. by *Overbey.

Senate Joint Resolution No. 715 -- Memorials, Recognition - Steve Bowers, Jackson Man of the Year. by *Finney L, *Herron.

Senate Joint Resolution No. 716 -- Memorials, Recognition - Joseph and Odette Novak, Pickett Care and Rehab Hall of Fame. by *Yager.

Senate Joint Resolution No. 717 -- Memorials, Recognition - James D. Cope. by *Yager.

Senate Joint Resolution No. 718 -- Memorials, Death - Fred White, Jr. by *Yager.

Senate Joint Resolution No. 719 -- Memorials, Recognition - Roane State Community College. by *Yager.

Senate Joint Resolution No. 720 -- Memorials, Recognition - The Singing Cookes, 50th anniversary. by *Yager.

Senate Joint Resolution No. 721 -- Memorials, Public Service - Senator Roy Herron. by *Finney L, *Kyle, *Berke, *Barnes, *Marrero, *Harper, *Tate, *Henry, *Stewart, *Burks, *Ford, *Haynes, *Faulk, *Norris, *Overbey.

Senate Joint Resolution No. 722 -- Memorials, Public Service - Senator Andy Berke. by *Finney L, *Kyle, *Barnes, *Marrero, *Harper, *Tate, *Henry, *Stewart, *Burks, *Ford, *Haynes.

Senate Joint Resolution No. 726 -- Memorials, Death - J. H. "Tommy" Dykes. by *Faulk.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 646 -- Naming and Designating - Designates May as "Tennessee Jewish Heritage Month." by *Berke, *Finney L, *Herron, *Kelsey, *Kyle.

House State and Local Government Committee

***Senate Joint Resolution No. 689** -- Highway Signs - "Paul Easter Bridge," Midtown interchange on I-40 in Roane County. by *Yager.

House State and Local Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3881 -- Scotts Hill - As introduced, subject to local approval, sets 30-day residency requirement to vote in the municipal election; authorizes property rights voting limited to one person per parcel. - Amends Chapter 105 of the Private Acts of 2004. by *McDaniel.

House Bill No. 3882 -- Bluff City - As introduced, subject to local approval, revises method for filling vacancies on board of mayor and aldermen; allows for recall elections of mayor and aldermen. - Amends Chapter 24 of the Private Acts of 1997; as amended. by *Campbell.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2302** -- Teachers, Principals and School Personnel - As introduced, establishes new route to licensure to teach in grades 9-12 for persons who have taught in certain postsecondary institutions. - Amends TCA Title 49, Chapter 5. by *Summerville, *Gresham, *Kelsey, *Johnson. (HB3098 by *Hensley)

***Senate Bill No. 2908** -- Municipal Government - As introduced, removes prohibition on creation of municipal school districts. - Amends TCA Section 6-58-112. by *Norris. (HB3234 by *McCormick, *Forgety, *Sanderson, *Eldridge, *Carr, *Hawk, *McDaniel, *Lundberg, *Casada, *Williams K, *Rich, *Todd, *Lollar, *Coley, *White, *McManus)

Senate Bill No. 3195 -- State Employees - As introduced, allows state employee upon retirement to keep such employee's photo identification card issued by the state; requires sticker or other designation to be placed on the card; specifies such card may be used as valid photo id for voting purposes. - Amends TCA Section 2-7-112 and Title 8. by *Yager, *Ketron, *Haynes, *Barnes, *Tracy, *Stewart, *Tate, *Herron. (*HB3195 by *Cobb, *Matheny, *Sontany, *Jones S, *Shepard, *Pitts, *Gilmore, *Favors, *Cooper B, *Bass, *Curtiss, *Shaw, *Dean, *Sargent, *Sparks, *Turner J, *Alexander, *Richardson, *Hensley, *Miller L, *Harrison, *Ford, *Faison, *Hall, *Sexton, *Hawk, *Roach, *Dunn, *Montgomery, *Armstrong, *Tindell, *Windle, *Maggart, *Niceley, *Swann, *Shipley, *Holt, *Williams K, *Halford, *White, *Coley, *Sanderson, *Lollar, *Naifeh, *DeBerry L, *Fitzhugh, *Towns, *Camper, *DeBerry J, *Parkinson, *Hurley, *Ramsey, *Forgety, *Weaver, *Matlock, *Harmon, *Keisling, *McDaniel, *Eldridge, *Tidwell, *Brooks H, *Ragan, *Lundberg, *Powers, *Hill, *Campbell)

Senate Bill No. 3233 -- Industrial Development - As introduced, includes land, improvements, and machinery used or suitable for use in the production, treatment, processing, or transportation of biofuels and other similar products in the definition of "project" under the provisions governing projects by industrial development corporations. - Amends TCA Title 7, Chapter 53. by *Overbey. (*HB3396 by *Swann)

Senate Bill No. 3547 -- Food and Food Products - As introduced, authorizes the sale of food and food products cooked or produced in a home kitchen if vendor has a sign announcing that a home kitchen was the source of such food or food products. - Amends TCA Title 53, Chapter 8, Part 1. by *Crowe, *Ramsey, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tracy, *Watson, *Yager. (*HB3302 by *Hill, *Evans)

***Senate Bill No. 3567** -- Special License Plates - As introduced, directs the legend of animal friendly new specialty license plates to bear "Spay/Neuter"; plates to be issued only after exhaustion of existing stock. - Amends TCA Title 55, Chapter 4. by *Marrero, *Ford. (HB3703 by *Odom, *Sargent, *Johnson P)

***Senate Bill No. 3608** -- Privacy, Confidentiality - As introduced, classifies consumer specific energy usage data as a private record. - Amends TCA Title 10, Chapter 7, Part 5. by *Haynes, *Southerland. (HB3758 by *Sontany)

Senate Bill No. 3616 -- Regional Authorities and Special Districts - As introduced, clarifies definition of "authority" in provisions governing regional transportation authorities to include reconstituted authority of Middle Tennessee; removes reference to power of regional transportation authorities to condemn property pursuant to the provisions governing such authorities in furtherance of mass transit and transportation plans. - Amends TCA Title 29, Chapter 20 and Title 64, Chapter 8. by *Tracy. (*HB3627 by *Johnson P)

***Senate Bill No. 3653** -- Environment and Conservation, Department of - As introduced, requires commissioner to establish management systems to achieve goal of issuing permits within 90 days of submission; requires commissioner to prepare efficiency reports; requires notification to applicant within 30 business days if application is incomplete. - Amends TCA Title 4, Chapter 3, Part 5 and Title 68. by *Southerland, *Ramsey, *Ketron, *Overbey. (HB3689 by *Hawk)

Senate Bill No. 3727 -- Hospitals and Health Care Facilities - As introduced, requires board for licensing health care facilities to promulgate rules requiring emergency room personnel to be trained in advanced cardiovascular life support by January 1, 2013. - Amends TCA Title 68. by *Herron, *Ford. (*HB3407 by *Shepard)

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 3, 2012**, reported the following:

AGRICULTURE COMMITTEE

The Agriculture Committee recommended for passage: Senate Joint Resolution(s) No(s). 569. Under the rules, each was transmitted to the Calendar and Rules Committee.

The Committee also transmitted following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 3208 with amendments.

COMMERCE COMMITTEE

The Commerce Committee reports that House Bill No. 3532 was considered, but failed to pass.

EDUCATION COMMITTEE

The Education Committee recommended for passage: House Joint Resolution(s) No(s). 808, also House Bill(s) No(s). 3540 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1944, 3273, 3272, 3611 and 3114 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1954 and 3062, also House Bill(s) No(s). 2384, 2387, 3761 and 3760 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY COMMITTEE

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2574, House Resloution(s) No(s). 191, 190, 192, 193 and 194, also House Bill(s) No(s). 3033 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2569, House Joint Resolution(s) No(s). 698 and 830. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

The State and Local Government Committee recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3289 and 3290 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 2385 with amendments.

The committee further reports that House Bill No. 2730 was considered, but failed to pass.

TRANSPORTATION COMMITTEE

The Transportation Committee recommended for passage: House Bill(s) No(s). 3703 and House Resloution(s) No(s). 233, also House Bill(s) No(s). 3627 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Joint Resolution(s) No(s). 791, Senate Joint Resolution(s) No(s). 578, 644 and 690, also House Bill(s) No(s). 177 and 2799 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 4, 2012**, reported the following:

CHILDREN AND FAMILY AFFAIRS COMMITTEE

The Children and Family Affairs Committee recommended for passage: House Joint Resolution(s) No(s). 766, also House Bill(s) No(s). 2648 and 2895 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSERVATION AND ENVIRONMENT COMMITTEE

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 3765 and House Joint Resolution(s) No(s). 617, also House Bill(s) No(s). 1455, 3111, 3758 and 2977 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3475, 3790 and 3689 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2568, 3243 and 2575, also House Bill(s) No(s). 2508 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3472, 2928, 2747, 2969, 3246, 2862 and 2309. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

HEALTH AND HUMAN RESOURCES COMMITTEE

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 3058, 3420 and 2724 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2350 and Senate Joint Resolution(s) No(s). 78, also House Bill(s) No(s). 2362 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 442 and 2391 with amendments.

CONSENT CALENDAR

House Joint Resolution No. 849 -- Memorials, Academic Achievement - Hailey Speck, Valedictorian, Watertown High School. by *Pody.

House Joint Resolution No. 850 -- Memorials, Recognition - Volunteer State Bank. by *McDonald.

House Joint Resolution No. 851 -- Memorials, Recognition - J. B. Donoho Nursery. by *McDonald.

House Joint Resolution No. 852 -- Memorials, Recognition - Gibson Furniture & Patio, 40th anniversary. by *McDonald.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann,

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Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Joint Resolution No. 667** -- Memorials, Congress - Urges Congress to overturn the Health & Human Services final interim rule on contraceptives coverage for religiously-affiliated employers. by *Cobb, *Floyd, *Matlock, *Brooks K, *White, *Carr, *Miller D, *McDaniel, *Maggart, *McCormick, *Haynes, *Powers, *Alexander, *Niceley, *Sexton, *Wirgau, *Matheny, *Evans, *Forgety, *Hall, *Pody, *Keisling, *Hurley, *Curtiss, *Faison, *Butt, *Gotto, *Bass, *Harwell, *Dunn, *Womick, *Weaver, *Hensley, *Dean, *Johnson P, *Eldridge, *Lollar.

Further consideration of House Joint Resolution No. 667 previously considered on March 28, 2012, at which time it was reset for today's Calendar

Rep. Cobb moved adoption of House Joint Resolution No. 667.

Rep. Hill moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 667 By deleting the first resolving clause in its entirety and substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SEVENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, that this body does strongly urge the United States Congress to reverse the proposed final rule requiring contraception coverage by the U.S. Department of Health and Human Services which will violate the consciences of so many Americans and to restore needed protections to the concerns of conscience of certain religiously affiliated agencies.

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Cobb moved adoption of **House Joint Resolution No. 667**, as amended, which motion prevailed by the following vote:

Ayes	71
Noes	22

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pitts, Pody, Powers, Ragan,

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Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 71

Representatives voting no were: Armstrong, Brown, Cooper, DeBerry L, Favors, Gilmore, Jones, Kernell, McDonald, Miller L, Moore, Odom, Parkinson, Pruitt, Richardson, Shaw, Sontany, Stewart, Tindell, Towns, Turner J, Turner M -- 22

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "no" on **House Joint Resolution No. 667** and have this statement entered in the Journal: Rep(s). Tidwell.

REGULAR CALENDAR, CONTINUED

House Bill No. 3822 -- Short Term Loans and Lenders - As introduced, requires pawnbrokers to have a computer system in operation to log certain information if so requested by a law enforcement agency; to photograph their inventory and retain such photographs for two years; and to take certain thumbprints from the pledgor. - Amends TCA Title 4; Title 39 and Title 45, Chapter 6, Part 2. by *Carr. (*SB3397 by *Massey, *McNally)

Rep. Carr requested that House Bill No. 3822 be moved to the heel of the Calendar.

***House Bill No. 3093** -- Naming and Designating - As introduced, names field house at York Institute in honor of Charles Joseph Vaughn. by *Windle. (SB3065 by *Yager, *Ketron)

Rep. Windle moved that House Bill No. 3093 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3093 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. This act shall become operative only if the cost of the manufacture and installation of such signs is paid to the department of education from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the

department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Dean moved the previous question, which motion prevailed.

Rep. Windle moved that **House Bill No. 3093**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 3864 -- Overton County - As introduced, subject to local approval, enacts a hotel/motel tax. by *Windle. (*SB3794 by *Burks)

Rep. Windle moved that House Bill No. 3864 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3864 By deleting Section 10 in its entirety and by substituting instead the following language:

SECTION 10. The proceeds of the tax authorized by this act shall be deposited in the county fund to be used solely for the purpose of tourism development specified by resolutions of the county legislative body.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. B. Cooper moved the previous question, which motion prevailed.

Rep. Windle moved that **House Bill No. 3864**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 76
Noes..... 6
Present and not voting..... 14

Representatives voting aye were: Armstrong, Brooks H, Brooks K, Brown, Casada, Cobb, Coley, Cooper, Curtiss, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Halford, Hardaway, Harmon, Harrison, Hawk, Haynes, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pruitt, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Weaver, White, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 76

Representatives voting no were: Bass, Campbell, Elam, Faison, Hall, Hensley -- 6

Representatives present and not voting were: Alexander, Butt, Carr, Dean, Evans, Gotto, Hill, Holt, Maggart, Pody, Powers, Ragan, Sparks, Watson -- 14

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Casada voted "aye" on **House Bill No. 3864**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2806** -- General Assembly, Directed Studies - As introduced, directs the commissioner of the department of human services to conduct a summer study that will assess the feasibility of more work friendly assistance eligibility and benefits requirements in order to increase workforce participation. - Amends TCA Title 71. by *Powers, *Ragan, *Keisling. (SB2857 by *Yager)

Rep. Powers moved that House Bill No. 2806 be passed on third and final consideration.

Rep. Casada moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2806 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. This act shall be known and may be cited as the "Welfare Roll to Payroll Act".

On motion, Health and Human Resources Committee Amendment No. 1 was adopted.

Rep. Casada moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2806 By deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. The commissioner of the department of human services is directed to conduct a study that will assess the feasibility of a more work friendly assistance eligibility benefits requirement in order to increase workforce participation. The commissioner should particularly attend to reforming current public assistance programs and coordinating income disregard and eligibility across TANF to encourage work effort on the part of welfare recipients and as a means to supplement the income of low-wage employees. The study should examine the feasibility of adopting graduated income disregards for benefits that decline over time, based on the increased income from the recipient's employment. The commissioner shall consult with the various state departments and agencies, including but not limited to, the department of agriculture, the Tennessee housing development authority, the bureau of TennCare and any other interested stakeholders. This study, which is currently being conducted, shall include a comprehensive review of the TANF program and how work-friendly it is with recipients joining the workforce. The department shall report the results of the study to the senate health and welfare committee and the house health and human resources committee on or before July 1, 2013.

On motion, Health and Human Resources Committee Amendment No. 2 was adopted.

Rep. Powers moved that **House Bill No. 2806**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes.....	6
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Brown, Favors, Jones, Moore, Stewart, Turner J -- 6

Representatives present and not voting were: Holt -- 1

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Camper

REGULAR CALENDAR, CONTINUED

***House Bill No. 2368** -- Controlled Substances - As introduced, rewrites the provisions governing the scheduling of controlled substances. - Amends TCA Title 39, Chapter 17, Part 4. by *McCormick, *Powers, *Sparks. (SB2230 by *Norris, *McNally, *Crowe, *Burks)

On motion, House Bill No. 2368 was made to conform with **Senate Bill No. 2230**; the Senate Bill was substituted for the House Bill.

Rep. Powers moved that Senate Bill No. 2230 be passed on third and final consideration.

Rep. Hill moved the previous question, which motion prevailed.

Rep. Powers moved that **Senate Bill No. 2230** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 2329** -- Highway Signs - As introduced, authorizes placement of signs on Viet Nam Veterans Parkway in Sumner and Davidson counties recognizing fallen soldiers from such counties who perished in the Viet Nam War. - Amends TCA Title 54. by *McDonald, *Maggart, *Moore. (SB2401 by *Roberts)

Rep. McDonald moved that House Bill No. 2329 be passed on third and final consideration.

Rep. P. Johnson requested that Amendment No. 1 be moved to the heel.

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Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2329 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. The segment of State Route 386, known as Vietnam Veterans Boulevard, that runs from the Sumner County line to Long Hollow Pike, is hereby designated for the placement of signs on such highway denoting fallen soldiers from such war. The Tennessee Department of Transportation is directed to coordinate the placement of signs with the appropriate group who represents veterans of that war as designated by the sponsor of this act. The signs shall be spaced evenly, provided they do not displace or interfere with any existing signage along such route. All signs shall be installed at one time after which no further of these type signs shall be installed in Sumner County.

SECTION 2. Fallen soldiers who were residents of Sumner County shall be designated on signs on that segment of State Route 386 that runs from the Sumner County line to Long Hollow Pike.

SECTION 3. The Metropolitan Government of Nashville and Davidson County may elect to place two (2) signs, one (1) eastbound and one (1) westbound, on that segment of State Route 386 that runs from Interstate 65 to the Sumner County line in such county to honor all fallen soldiers who were residents of Davidson County.

SECTION 4. The erection of such signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices.

SECTION 5. This act shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this act shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

SECTION 6.

(a) The cost of the signage provided for in Section 2 shall be funded in accordance with § 54-1-133.

(b) The cost of the signage provided for in Section 3 shall be paid to the department of transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in non-state funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. P. Johnson moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McDonald moved that **House Bill No. 2329**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **House Bill No. 2329** and have this statement entered in the Journal: Rep(s). Gilmore.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2592** -- Education - As introduced, requires a special education diploma be awarded to students who have satisfactorily completed an IEP with satisfactory attendance and conduct, but who have not passed the proficiency tests required for graduation with a regular diploma. - Amends TCA Title 49, Chapter 6, Part 60. by *McDonald. (SB2900 by *Berke, *Finney L, *Marrero)

On motion, House Bill No. 2592 was made to conform with **Senate Bill No. 2900**; the Senate Bill was substituted for the House Bill.

Rep. McDonald moved that **Senate Bill No. 2900** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

***House Bill No. 2375** -- Safety, Dept. of - As introduced, authorizes department to enter into partnership agreements with nonprofit organizations to promote and support the goals and objectives of the agency. - Amends TCA Title 4, Chapter 3, Part 20. by *McCormick, *Keisling. (SB2237 by *Norris, *Tracy, *Burks, *McNally)

On motion, House Bill No. 2375 was made to conform with **Senate Bill No. 2237**; the Senate Bill was substituted for the House Bill.

Rep. Keisling moved that Senate Bill No. 2237 be passed on third and final consideration.

Rep. P. Johnson moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. P. Johnson moved that Transportation Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Pitts moved the previous question, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 2237** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks,

Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 3274 -- Motor Vehicles - As introduced, prevents car dealerships from being held vicariously liable when loaning a vehicle to a customer with proof of insurance, except in the case of gross negligence. - Amends TCA Title 55. by *Elam, *Eldridge, *Casada, *Floyd, *Hensley, *Williams R, *Sparks. (*SB2950 by *Kelsey)

Rep. Elam moved that **House Bill No. 3274** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Tindell voted “aye” on **House Bill No. 3274**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 3274** and have this statement entered in the Journal: Rep(s). Faison and Rich.

CHAIR TO MATHENY

Madam Speaker Harwell relinquished the Chair to Speaker Pro Tempore Matheny.

REGULAR CALENDAR, CONTINUED

House Bill No. 3717 -- Tort Liability and Reform - As introduced, provides that the damages that may be awarded in a health care liability action in which liability is admitted or established, are subject to the "Tennessee Civil Justice Reform Act of 2011." - Amends TCA Section 7-57-502; Section 8-42-101; Section 8-21-401; Section 9-8-307; Section 10-7-504; Section 28-3-104; Section 29-26-118; Section 29-26-119; Section 29-26-120; Section 29-26-121; Section 29-26-122; Section 29-26-202; Section 29-20-310; Section 29-26-115; Section 29-26-116; Section 29-26-117; Section 37-5-314; Section 56-3-111; Section 56-30-115; Section 56-31-114; Section 56-32-110; Section 56-32-130; Section 56-54-101; Section 56-54-102; Section 56-54-103; Section 56-54-104; Section 56-54-105; Section 56-54-106; Section 56-7-1001; Section 56-7-101; Section 56-7-115; Section 56-8-104; Section 56-13-104; Section 56-19-125; Section 56-2-201; Section 56-27-115; Section 61-1-306; Section 62-3-121; Section 63-25-110; Section 63-27-112; Section 63-3-119; Section 63-30-111; Section 63-31-109; Section 63-4-114; Section 63-5-124; Section 63-51-105; Section 63-51-111; Section 63-51-117; Section 63-6-214; Section 63-6-219; Section 63-6-221; Section 63-6-234; Section 63-8-120; Section 63-9-111; Section 63-9-117; Section 63-11-215; Section 63-12-124; Section 63-13-209; Section 63-23-108; Section 68-140-311; Section 68-140-511 and Section 68-11-223. by *McCormick, *Elam. (*SB3101 by *Norris, *Ketrone)

Rep. Elam moved that House Bill No. 3717 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3717 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-57-502, is amended by deleting subdivision (b)(7)(A) in its entirety and substituting instead the following:

(A) In connection with any malpractice or health care liability action or proceeding arising out of or in any way connected with such person's professional practice.

SECTION 2. Tennessee Code Annotated, Section 8-21-401, is amended by deleting from subdivision (b)(1)(A) the words "including malpractice and wrongful death suits" and substituting instead the words "including malpractice actions, health care liability actions, and wrongful death suits".

SECTION 3. Tennessee Code Annotated, Section 8-42-101, is amended by deleting from subdivision (3)(B) the word "malpractice" and substituting instead the word "liability".

SECTION 4. Tennessee Code Annotated, Section 9-8-307, is amended by deleting from subdivision (a)(1)(D) the words “legal or medical malpractice” and substituting instead the words “legal malpractice or health care liability”.

SECTION 5. Tennessee Code Annotated, Section 10-7-504, is amended by deleting from subdivision (a)(13)(E) the words “malpractice” and substituting instead the words “health care liability”.

SECTION 6. Tennessee Code Annotated, Section 29-20-310, is amended by deleting the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 7. Tennessee Code Annotated, Section 29-26-115, is amended by deleting from subsections (a), (c) and (d) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 8. Tennessee Code Annotated, Section 29-26-116, is amended by deleting from subdivision (a)(1) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 9. Tennessee Code Annotated, Section 29-26-117, is amended by deleting the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 10. Tennessee Code Annotated, Section 29-26-118, is amended by deleting the word “malpractice” and substituting instead the words “health care liability”.

SECTION 11. Tennessee Code Annotated, Section 29-26-119, is amended by deleting the word “malpractice” and substituting instead the words “health care liability”.

SECTION 12. Tennessee Code Annotated, Section 29-26-120, is amended by deleting the word “malpractice” and substituting instead the words “health care liability”.

SECTION 13. Tennessee Code Annotated, Section 29-26-121, is amended by deleting the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 14. Tennessee Code Annotated, Section 29-26-122, is amended by deleting the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 15. Tennessee Code Annotated, Section 29-26-202, is amended by deleting the word “malpractice” and substituting instead the words “health care liability”.

SECTION 16. Tennessee Code Annotated, Section 37-5-314, is amended by deleting the word “malpractice” and substituting instead the word “liability”.

SECTION 17. Tennessee Code Annotated, Section 56-2-201, is amended by deleting from subsection (l) the word “malpractice” and substituting instead the words “professional liability”.

SECTION 18. Tennessee Code Annotated, Section 56-3-111, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 19. Tennessee Code Annotated, Section 56-7-101, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 20. Tennessee Code Annotated, Section 56-7-115, is amended by deleting from subsections (a) and (b) the word “malpractice” and substituting instead the words “health care”.

SECTION 21. Tennessee Code Annotated, Section 56-7-1001, is amended by deleting from subsection (c) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 22. Tennessee Code Annotated, Section 56-8-104, is amended by deleting from subdivision (7)(G) the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 23. Tennessee Code Annotated, Section 56-27-115, is amended by deleting the word “malpractice” and substituting instead the words “health care liability”.

SECTION 24. Tennessee Code Annotated, Section 56-30-115, is amended by deleting the word “malpractice” and substituting instead the words “health care liability”.

SECTION 25. Tennessee Code Annotated, Section 56-31-114, is amended by deleting the word “malpractice” and substituting instead the words “health care liability”.

SECTION 26. Tennessee Code Annotated, Section 56-32-130, is amended by deleting from subdivision (b)(1) the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 27. Tennessee Code Annotated, Section 56-54-101, is amended by deleting the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 28. Tennessee Code Annotated, Section 56-54-102, is amended by deleting the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 29. Tennessee Code Annotated, Section 56-54-103, is amended by deleting the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 30. Tennessee Code Annotated, Section 56-54-104, is amended by deleting the words “medical malpractice claims” and substituting instead the words “health care liability claims” and by deleting the words “medical malpractice liability” and substituting instead the words “health care liability”.

SECTION 31. Tennessee Code Annotated, Section 56-54-105, is amended by deleting the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 32. Tennessee Code Annotated, Section 56-54-106, is amended by deleting from subsections (4), (5), (6) and (12) the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 33. Tennessee Code Annotated, Section 56-54-106, is amended by deleting from subsection (8) the word “malpractice” and substituting instead the words “the health care liability”.

SECTION 34. Tennessee Code Annotated, Section 63-3-119, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 35. Tennessee Code Annotated, Section 63-4-114, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 36. Tennessee Code Annotated, Section 63-5-124, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 37. Tennessee Code Annotated, Section 63-6-214, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 38. Tennessee Code Annotated, Section 63-6-221, is amended by deleting from subdivision (m)(1)(C) the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 39. Tennessee Code Annotated, Section 63-6-221, is amended by deleting from subsection (s) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 40. Tennessee Code Annotated, Section 63-6-234, is amended by deleting from subsection (2) the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 41. Tennessee Code Annotated, Section 63-8-120, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 42. Tennessee Code Annotated, Section 63-9-111, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 43. Tennessee Code Annotated, Section 63-9-117, is amended by deleting from subdivision (m)(1)(C) the words “medical malpractice” and substituting instead the words “health care liability”.

SECTION 44. Tennessee Code Annotated, Section 63-9-117, is amended by deleting from subsection (s) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 45. Tennessee Code Annotated, Section 63-11-215, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 46. Tennessee Code Annotated, Section 63-13-209, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 47. Tennessee Code Annotated, Section 63-23-108, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 48. Tennessee Code Annotated, Section 63-25-110, is amended by deleting from subdivision (a)(2) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 49. Tennessee Code Annotated, Section 63-27-112, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 50. Tennessee Code Annotated, Section 63-30-111, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 51. Tennessee Code Annotated, Section 63-31-109, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 52. Tennessee Code Annotated, Section 63-51-105, is amended by deleting from subdivision (a)(5)(A) the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 53. Tennessee Code Annotated, Section 63-51-105, is amended by deleting from subdivision (a)(5)(B) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 54. Tennessee Code Annotated, Section 63-51-111, is amended by deleting from subdivision (b)(6) the word “malpractice” and substituting instead the words “health care liability”.

SECTION 55. Tennessee Code Annotated, Section 63-51-117, is amended by deleting the words “medical malpractice” wherever they appear and substituting instead the words “health care liability”.

SECTION 56. Tennessee Code Annotated, Section 68-11-223, is amended by deleting from subdivision (a)(7) the words “medical malpractice” and substituting instead the words “health care liability” and by deleting the words “malpractice suit” and substituting instead the words “health care liability action”.

SECTION 57. Tennessee Code Annotated, Section 68-11-223, is amended by deleting from subdivision (b)(1)(A) the words “medical malpractice” and substituting instead the words “health care”.

SECTION 58. Tennessee Code Annotated, Section 68-140-311, is amended by deleting the word “malpractice” wherever it appears and substituting instead the words “health care liability”.

SECTION 59. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

CHAIR TO SPEAKER

Madam Speaker Harwell resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Elam moved that **House Bill No. 3717**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	18
Present and not voting.....	2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Moore, Naifeh, Niceley, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Todd, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 76

Representatives voting no were: Armstrong, Brown, Cooper, Favors, Fitzhugh, Hardaway, Jones, McDonald, Miller L, Odom, Parkinson, Richardson, Sontany, Stewart, Tindell, Towns, Turner J, Turner M -- 18

Representatives present and not voting were: DeBerry J, Kernell -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "no" on **House Bill No. 3864** and have this statement entered in the Journal: Rep(s). Weaver.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "present and not voting" on **House Bill No. 3864** and have this statement entered in the Journal: Rep(s). Cobb.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3381** -- Alcoholic Beverages - As introduced, authorizes the Inn at Long Branch on Dale Hollow Lake in Clay County to obtain a license as a premier type tourist resort. - Amends TCA Section 57-4-102. by *Armstrong. (SB3248 by *Yager)

Rep. Armstrong moved that House Bill No. 3381 be reset for the Regular Calendar on April 18, 2012, which motion prevailed.

House Bill No. 3868 -- Millington - As introduced, subject to local approval, rewrites the charter; creates the position of "city manager" to be appointed by and serve at the pleasure of the board of mayor and aldermen. - Amends Chapter 238 of the Acts of 1903. by *Lollar. (SB3807 by *Ford, *Norris)

Rep. Lollar moved that House Bill No. 3868 be reset for the Regular Calendar on April 9, 2012, which motion prevailed.

***House Bill No. 2296** -- Motor Vehicles - As introduced, creates a voluntary program where senior drivers may receive a "yellow dot" vehicle decal to alert emergency medical responders to a folder in the glove department containing emergency contacts and medical history in the event of an accident; allows responders to use the information to provide emergency treatment; requires written consent for use and disclosure of medical information for such treatment purposes. - Amends TCA Title 55, Chapter 20. by *Halford. (SB2277 by *Tracy, *Ketron)

Rep. Halford moved that House Bill No. 2296 be passed on third and final consideration.

Rep. P. Johnson requested that Amendment No. 1 be moved to the heel.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2296 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 20, is amended by adding Sections 2 through 10 as a new part 3.

SECTION 2. The department of transportation is authorized to develop and assist in the implementation of the "yellow dot" motor vehicle medical information program. The purpose of the "yellow dot" program is to assist drivers and passengers who participate in the program and emergency medical responders in reporting critical medical information in the event of a motor vehicle accident or a medical emergency involving a participant's vehicle.

SECTION 3. For purposes of this part, "emergency medical responder" means an emergency medical technician, emergency medical technician-paramedic, paramedic, other emergency medical services provider, physician or nurse on the scene or accompanying or attending a patient in an ambulance, and the term "other responder" means a fire fighter or law enforcement officer on the scene.

SECTION 4. The department of transportation may accept donations and grants from any source, including eligible federal safety funds, to pay the expenses the department of transportation incurs in the development and implementation of the "yellow dot" motor vehicle medical information program.

SECTION 5. The department of transportation or the governor's highway safety office may take reasonable measures to publicize the "yellow dot" program to potential participants and emergency medical responders. In publicizing the "yellow dot" program, the department may cooperate with local law enforcement agencies, fire departments, emergency medical services agencies, human resources agencies, statewide development districts with direct contact with senior citizen centers in such districts, and other governmental agencies, especially agencies which assist persons who are fifty-five (55) years of age or older. The department may also cooperate with and seek the assistance of interested non-profit organizations, including, but not limited to, AARP, American Automobile Association, and the Tennessee Coalition for the Enhancement of Senior Drivers.

SECTION 6.

(a) The department of transportation is authorized to create a standard medical information form providing space for each participant to supply, at a minimum, the following information:

- (1) Name;
- (2) Photograph;
- (3) Emergency contact information of no more than two (2) persons;

(4) Medical information, including medical conditions, recent surgeries, allergies, and medications being taken;

(5) Hospital preference;

(6) No more than two (2) physicians' contact information; and

(7) The date on which the participant completed the form.

(b) The medical information form shall include a statement that the "yellow dot" program acts as a facilitator only, and that all information supplied on the medical information form is the sole responsibility of the participant.

(c) The medical information form shall also include statements that the participant supplies the medical information voluntarily, and that the participant authorizes the disclosure to, and use of, the medical information by emergency medical responders and other responders for the purposes described in Section 9.

SECTION 7.

(a) The department of transportation may provide for, assist in, or authorize the printing of the medical information form and assembling of a "yellow dot" folder containing the medical information form and a "yellow dot" decal with an adhesive backing.

(b) Upon request, the department may provide "yellow dot" folders to the agencies and non-profit organizations identified in Section 5, subject to the limitations of resources for funding the program, and/or the department may allow such agencies and organizations to copy the medical information form and assemble "yellow dot" folders for distribution to participants, or the department may authorize these agencies and organizations to prepare "yellow dot" folders for distribution.

(c) The department may also provide for dissemination of the medical information form and other "yellow dot" materials through the internet.

(d) The department shall not charge any fee to participate in the "yellow dot" program.

SECTION 8.

(a) Each participant shall receive a "yellow dot" folder containing a "yellow dot" decal and a medical information form. Participants may include passengers as well as operators of a motor vehicle, and those persons with distinctive license plates or placards for disabled drivers.

(b) The "yellow dot" decal shall be affixed on the rear window in the left lower corner of any motor vehicle other than a motorcycle. On motorcycles, the "yellow dot" decal shall be affixed in a secure, visible location on the rear of the vehicle.

(c) Each participant shall complete the medical information form and place it in the "yellow dot" folder. The "yellow dot" folder or folders shall be stored in the glove compartment of the motor vehicle, or in the compartment attached to a motorcycle.

SECTION 9.

(a) If a driver or passenger of a motor vehicle becomes involved in a motor vehicle accident or emergency situation, and a "yellow dot" decal is affixed to the vehicle, an emergency medical responder or other responder at the scene is authorized to search the compartment of the vehicle for a "yellow dot" folder or folders.

(b) An emergency medical responder or other responder may use the information contained in the "yellow dot" folder for the following purposes:

(1) To identify a participant in the "yellow dot" program;

(2) To ascertain whether the participant has a medical condition that may impede communications with the responder;

(3) To communicate with the participant's emergency contacts about the location and general condition of the participant; or

(4) To consider the person's current medications and pre-existing medical conditions when emergency medical treatment is administered for any injury the participant suffers.

SECTION 10. Except for wanton or willful conduct, no emergency medical responder or other responder, nor any employer of an emergency medical responder or other responder, shall incur any liability if the emergency medical responder or other responder is unable to make contact, in good faith, with an emergency contact person, or disseminates or fails to disseminate any information from the "yellow dot" folder to other emergency medical responders, hospitals, or any healthcare providers who render emergency medical treatment to the participant. No health care provider or employer of a health care provider shall incur any civil or criminal liability if the provider relies in good faith on the information provided to them through the program.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. P. Johnson moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Halford moved that **House Bill No. 2296**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

4705

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

WEDNESDAY, APRIL 4, 2012 – SIXTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 3432 -- Telecommunications - As introduced, enacts the "Kelsey Smith Act" to require wireless telecommunications service providers to provide geographic information concerning the location of a service user's wireless device in an emergency situation. - Amends TCA Title 7, Chapter 86; Title 38 and Title 65. by *Matlock, *Sexton, *Hardaway, *Wirgau, *Todd, *Ragan, *Harmon, *Roach, *Pitts, *Curtiss, *Shepard, *Williams K, *Marsh, *Towns, *Floyd, *Johnson P, *Favors, *Swann, *Montgomery, *McManus, *Sargent, *Miller D, *Lundberg, *Haynes, *Elam, *Johnson C. (*SB2413 by *McNally, *Barnes, *Beavers, *Bell, *Berke, *Burks, *Campfield, *Crowe, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager)

Rep. Matlock moved that House Bill No. 3432 be reset for the Regular Calendar on April 9, 2012, which motion prevailed.

***House Bill No. 2212** -- Employees, Employers - As introduced, provides that only authorized persons have access to evidence or information resulting from administrative inspections. - Amends TCA Title 50. by *McCormick, *Matlock. (SB2742 by *Johnson, *Norris)

On motion, House Bill No. 2212 was made to conform with **Senate Bill No. 2742**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that Senate Bill No. 2742 be passed on third and final consideration.

Rep. Eldridge moved that Consumer and Employee Affairs Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Eldridge moved that Consumer and Employee Affairs Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Matlock moved that **Senate Bill No. 2742** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

House Bill No. 3567 -- Fire Prevention and Investigation - As introduced, requires specified disclosures related to fire suppression and other related services on residential real estate disclosure form; must identify organization that provides such services; such organizations must respond to request for information necessary to complete the form within 10 business days of request for information. - Amends TCA Title 5, Chapter 17; Title 12, Chapter 3; Title 66, Chapter 5 and Title 68, Chapter 102. by *Sanderson, *Johnson P. (*SB2870 by *Southerland)

On motion, House Bill No. 3567 was made to conform with **Senate Bill No. 2870**; the Senate Bill was substituted for the House Bill.

Rep. Sanderson moved that Senate Bill No. 2870 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Eldridge moved the previous question, which motion prevailed by the following vote:

Ayes	66
Noes.....	28

Representatives voting aye were: Alexander, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Tindell, Todd, Watson, Weaver, White, Williams K, Williams R, Womick, Madam Speaker Harwell -- 66

Representatives voting no were: Armstrong, Bass, Curtiss, DeBerry L, Fitzhugh, Hardaway, Harmon, Hensley, Johnson P, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pody, Shaw, Shepard, Sontany, Stewart, Tidwell, Turner J, Turner M, Windle, Wirgau -- 28

WEDNESDAY, APRIL 4, 2012 – SIXTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Sanderson moved that **Senate Bill No. 2870** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 92
Noes..... 6

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Armstrong, Fitzhugh, Miller L, Richardson, Stewart, Turner M -- 6

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "no" on **Senate Bill No. 2870** and have this statement entered in the Journal: Rep(s). Brown and J. Turner.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3860** -- Morristown - As introduced, subject to local approval, revises the selection procedure for vacancies and expired terms of commissioners of the Board of Electric Light and Waterworks. - Amends Chapter 392 of the Acts of 1901; as amended. by *Miller D. (SB3787 by *Southerland)

On motion, House Bill No. 3860 was made to conform with **Senate Bill No. 3787**; the Senate Bill was substituted for the House Bill.

Rep. D. Miller moved that Senate Bill No. 3787 be passed on third and final consideration.

Rep. Dean moved the previous question, which motion prevailed by the following vote:

Ayes 73
Noes..... 20

Representatives voting aye were: Alexander, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley,

WEDNESDAY, APRIL 4, 2012 – SIXTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Moore, Niceley, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Watson, Weaver, White, Williams K, Williams R, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Armstrong, Bass, DeBerry J, DeBerry L, Fitzhugh, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Naifeh, Parkinson, Pitts, Richardson, Shaw, Sontany, Stewart, Turner J, Windle -- 20

Rep. D. Miller moved that **Senate Bill No. 3787** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

House Bill No. 3365 -- Criminal Offenses - As introduced, creates a Class A misdemeanor for a person to knowingly prevent or interfere with another person's ability to place an emergency call or to request assistance in an emergency, or to recklessly render unusable a telephone that would be used for an emergency call; elevates such offenses to a Class E felony if the person is previously convicted of such offenses. - Amends TCA Title 7; Title 39; Title 40 and Title 65. by *Rich, *Lollar. (*SB2836 by *Faulk)

Rep. Rich moved that House Bill No. 3365 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3365 by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 21, Part 1, is amended by adding the following language as a new, appropriately designated section:

65-21-117.

(a) An individual commits an offense if the individual knowingly prevents another individual from placing a telephone call to 911 or from requesting assistance in an emergency from a law enforcement agency, medical facility, or other agency or entity the primary purpose of which is to provide for the safety of individuals.

(b) An individual commits an offense if the individual intentionally renders unusable a telephone that would otherwise be used by another individual to place a telephone call to 911 or to request assistance in an emergency from a law enforcement agency, medical facility, or other agency or entity, the primary purpose of which is to provide for the safety of individuals.

(c) An offense under this section is a Class A misdemeanor.

(d) In this section, "emergency" means a condition or circumstance in which any individual is or is reasonably believed by the individual making a telephone call to be in fear of imminent assault or in which property is or is reasonably believed by the individual making the telephone call to be in imminent danger of damage or destruction.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Rich moved that **House Bill No. 3365**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **House Bill No. 3365** and have this statement entered in the Journal: Rep(s). Sanderson.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1069** -- Highway Patrol - As introduced, requires hiring, promotion and retention of commissioned highway patrol officers to be in compliance with state civil service laws. - Amends TCA Title 4, Chapter 7 and Title 8, Chapter 30. by *Rich. (SB1093 by *Beavers)

Rep. Rich moved that House Bill No. 1069 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1069 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-7-110, is amended by deleting subsections (a) and (b) and by substituting instead the following:

(a) Any commissioned member of the department of safety, who performs honorably and retires from the department in good standing, as determined solely by the commissioner, shall be issued by the department a retired commission card, which shall identify the member, the member's department and rank, and the fact that the member is retired. The card shall bear the inscription, in print of equal or larger size than the rest of the printing on the card, the words "Not a handgun permit."

(b)

(1) A commissioned member, who is issued a retired commission card pursuant to subsection (a) of this section, may retain the member's service weapon and badge in recognition of the member's years of good and faithful service, provided that the member retires:

(A) After twenty-five (25) or more years of service;

(B) After twenty (20) or more years of service, as a result of disability; or

(C) Upon attaining the mandatory retirement age imposed in title 8, chapter 36.

(2) A commissioned member, who is issued a retired commission card pursuant to subsection (a) of this section but who is not included within subdivision (1) of this subsection, may retain the member's service weapon and badge in recognition of the member's years of good and faithful service, provided that the member reimburses the department for the cost of the service weapon and badge.

(3) Nothing in this subsection shall be construed to require the department to purchase additional service weapons.

(c) Each badge retained pursuant to subsection (b) of this section shall be permanently marked to indicate the retired status of the commissioned member.

SECTION 2. This act shall take effect on becoming law, the public welfare requiring it.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Rich moved that **House Bill No. 1069**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 2188** -- Child Custody and Support - As introduced, clarifies definitions that apply to parents in the armed forces seeking modification of orders concerning parenting. - Amends TCA Title 36. by *Johnson C. (SB2844 by *Barnes)

Further consideration of House Bill No. 2188 previously considered on April 2, 2012, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 2188 was made to conform with **Senate Bill No. 2844**; the Senate Bill was substituted for the House Bill.

Rep. C. Johnson moved that **Senate Bill No. 2844** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety,

Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

***House Bill No. 3402** -- Education - As introduced, extends deadline for raising matching funds for Tennessee Intercollegiate State Legislature Foundation from June 30, 2012, to December 31, 2012, by delaying reversion of existing appropriation to general fund until December 31, 2012. - Amends TCA Title 49, Chapter 3. by *Lollar. (SB3234 by *Overbey, *Herron)

Further consideration of House Bill No. 3402 previously considered on April 2, 2012, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 3402 was made to conform with **Senate Bill No. 3234**; the Senate Bill was substituted for the House Bill.

Rep. Lollar moved that **Senate Bill No. 3234** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 3255 -- Taxes, Privilege - As introduced, reduces the rate of assessment for the realty recordation tax. - Amends TCA Section 67-4-409. by *Haynes. (*SB2962 by *Yager)

Further consideration of House Bill No. 3255 previously considered on April 2, 2012, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

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Rep. Haynes moved that **House Bill No. 3255** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 2949 -- Hospitals and Health Care Facilities - As introduced, removes requirement that board for licensing health care facilities report to the Tennessee code commission if the board fails to collect fees in amount sufficient to pay operating costs of board in any fiscal year; retains requirement that such report be sent to government operations committees. - Amends TCA Section 68-11-216(b). by *Cobb, *Shipley. (*SB2698 by *Bell)

Further consideration of House Bill No. 2949 previously considered on April 2, 2012, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 2949 was made to conform with **Senate Bill No. 2698**; the Senate Bill was substituted for the House Bill.

Rep. Cobb moved that **Senate Bill No. 2698** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Parkinson -- 1

A motion to reconsider was tabled.

***House Bill No. 3558** -- Water - As introduced, requires that any public water or waterworks system, which determines to initiate or permanently cease fluoridation of its water supply, shall notify the departments of health and environment and conservation and its customers 30 days prior to any vote. - Amends TCA Title 68, Chapter 221. by *Ramsey. (SB3394 by *Barnes)

Further consideration of House Bill No. 3558 previously considered on April 2, 2012, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

On motion, House Bill No. 3558 was made to conform with **Senate Bill No. 3394**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that **Senate Bill No. 3394** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives voting no were: Hensley -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "no" to "aye" on **Senate Bill No. 2698** and have this statement entered in the Journal: Rep(s). Parkinson.

REGULAR CALENDAR, CONTINUED

House Bill No. 3822 -- Short Term Loans and Lenders - As introduced, requires pawnbrokers to have a computer system in operation to log certain information if so requested by a law enforcement agency; to photograph their inventory and retain such photographs for two years; and to take certain thumbprints from the pledgor. - Amends TCA Title 4; Title 39 and Title 45, Chapter 6, Part 2. by *Carr. (*SB3397 by *Massey, *McNally)

Further consideration of House Bill No. 3822 previously considered on today's Calendar.

On motion, House Bill No. 3822 was made to conform with **Senate Bill No. 3397**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 3397 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McManus moved that Commerce Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Todd moved the previous question, which motion prevailed.

Rep. Carr moved that **Senate Bill No. 3397** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 5, 2012:

House Bill No. 2281: by Rep. Dunn

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Bill No. 2505: by Rep. Cobb

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 9, 2012:

House Bill No. 2683: by Rep. R. Williams

House Bill No. 3581: by Rep. Carr

House Bill No. 3792: by Rep. Carr

BILLS WITHDRAWN

On motion of Rep. Cobb, **House Bill No. 2796** was recalled from the Consumer and Employee Affairs Committee and withdrawn from the House.

On motion of Rep. Cobb, **House Bill No. 3215** was recalled from the Conservation and Environment Committee and withdrawn from the House.

RULES SUSPENDED

Rep. K. Brooks moved that the rules be suspended in order to allow **House Joint Resolution No. 766** to be placed on today's Children and Family Affairs Committee calendar.

Without objection, it was so ordered.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 738 out of order, which motion prevailed.

Senate Joint Resolution No. 738 -- Memorials, Recognition - Commends Tennessee's libraries and Tennessee Library Day. by *Johnson.

On motion of Rep. Casada, the resolution was concurred in.

A motion to reconsider was tabled.

BILL RECALL

Rep. Haynes moved that Senate Bill No. 1252 be recalled from the Senate, which motion prevailed.

RULES SUSPENDED

Rep. Ramsey moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 731 out of order, which motion prevailed.

Senate Joint Resolution No. 731 -- Memorials, Recognition - Joseph A. Swann. by *Overbey.

On motion of Rep. Ramsey, the resolution was concurred in.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 766 Rep(s). H. Brooks, K. Brooks, Parkinson, J. Turner, S. Jones, Richardson, Forgety, Swann, White, Alexander and J. DeBerry as prime sponsor(s).

House Bill No. 101 Rep(s). L. Miller as prime sponsor(s).

House Bill No. 294 Rep(s). Kernell as prime sponsor(s).

House Bill No. 1087 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 2212 Rep(s). Moore, J. Turner, Brown, Favors and Eldridge as prime sponsor(s).

House Bill No. 2375 Rep(s). Lollar as prime sponsor(s).

House Bill No. 3051 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 3432 Rep(s). Eldridge, J. Turner and Cobb as prime sponsor(s).

House Bill No. 3540 Rep(s). Carr as prime sponsor(s).

House Bill No. 3616 Rep(s). Cobb as prime sponsor(s).

House Bill No. 3670 Rep(s). Coley, Camper, B. Cooper, L. DeBerry, Richardson, Tindell, Stewart and Pitts as prime sponsor(s).

House Bill No. 3671 Rep(s). Pruitt, Sontany, Coley, Camper, B. Cooper, L. DeBerry, Richardson, Tindell, Stewart, Pitts and Kernell as prime sponsor(s).

House Bill No. 3730 Rep(s). Coley as prime sponsor(s).

House Bill No. 3760 Rep(s). Naifeh, Odom, Roach, L. DeBerry, Tindell, Fitzhugh, C. Johnson and Eldridge as prime sponsor(s).

House Bill No. 3761 Rep(s). Eldridge as prime sponsor(s).

House Bill No. 3835 Rep(s). Sargent as prime sponsor(s).

House Bill No. 3836 Rep(s). Sargent as prime sponsor(s).

House Bill No. 3837 Rep(s). Sargent as prime sponsor(s).

House Bill No. 3838 Rep(s). Sargent as prime sponsor(s).

House Bill No. 3839 Rep(s). Sargent as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Harrison was/were removed as sponsor(s) of **House Bill No. 1054**.

On motion, Rep(s). Parkinson was/were removed as sponsor(s) of **House Bill No. 3560**.

MESSAGE FROM THE GOVERNOR

April 4, 2012

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 811, 813, 814, 815, 819, 820, 821, 822, 825, 826, 827, 845 and 848; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

MESSAGE FROM THE SENATE

April 4, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2295 and 3039; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 4, 2012

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 828, 829, 831, 832, 833, 834, 835, 836, 837 and 838; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 4, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2196, 2226, 2236, 2292, 2407, 2466, 2467, 2468, 2475, 2644, 2656, 2669, 2682, 2765, 2793, 2853, 2878, 2933, 3023, 3026, 3094, 3481, 3518, 3550, 3781, 3833, 3840, 3842, 3847, 3852, 3853 and 3856; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENROLLED BILLS

April 4, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 828, 829, 831, 832, 833, 834, 835, 836, 837 and 838; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED

April 4, 2012

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 828, 829, 831, 832, 833, 834, 835, 836, 837 and 838.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

April 4, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2166, 2235, 2341, 2566, 2707, 2785, 3123, 3283, 3385, 3447, 3556 and 3558; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 4, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1069, 2296, 2329, 2806, 3093, 3255, 3274, 3365, 3717, 3864; also House Joint Resolution(s) No(s). 667, 849, 850, 851 and 852.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 4, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1864, 2821, 2871, 2916, 3397 and 3801; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 1864 -- Short Term Loans and Lenders - As introduced, requires all pawnbrokers to take thumbprint of any person pledging property at a pawnshop; requires pawnbrokers to require state or federal photo identification card of anyone pawning property and photocopy such identification. - Amends TCA Title 45, Chapter 6, Part 2. by *Overbey, *Burks, *Herron. (*HB1570 by *Swann)

Senate Bill No. 2821 -- Labor - As introduced, establishes certain public policies for employees under right to work law; provides for employers to post certain notices; provides for certain enforcement responsibilities by the department of labor and workforce development. - Amends TCA Title 50, Chapter 1, Part 2. by *Kelsey. (*HB2924 by *Sparks)

Senate Bill No. 2871 -- Public Works Projects - As introduced, increases threshold for public works that require a registered architect, registered engineer, or registered landscape architect from \$25,000 to \$150,000; increases the \$150,000 amount by CPI every odd-numbered year. - Amends TCA Title 62, Chapter 2. by *Southerland. (*HB3030 by *Hawk)

***Senate Bill No. 2916** -- Funeral Directors and Embalmers - As introduced, establishes priority of right to the disposition of human remains and limits certain liability of funeral establishments and funeral directors. - Amends TCA Title 32; Title 47; Title 62, Chapter 5 and Title 68. by *Overbey, *Ford. (HB3300 by *Fitzhugh, *Forgety)

***Senate Bill No. 3397** -- Short Term Loans and Lenders - As introduced, requires pawnbrokers to have a computer system in operation to log certain information if so requested by a law enforcement agency; to photograph their inventory and retain such photographs for two years; and to take certain thumbprints from the pledgor. - Amends TCA Title 4; Title 39 and Title 45, Chapter 6, Part 2. by *Massey, *McNally, *Burks. (HB3822 by *Carr)

Senate Bill No. 3801 -- Monroe County - As introduced, subject to local approval, reapportions, after the 2010 U.S. census, Monroe County school districts. - Amends Chapter 117 of the Private Acts of 1963. by *McNally. (*HB3872 by *Matlock)

ENROLLED BILLS
April 4, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2295 and 3039; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 4, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 2196, 2226, 2236, 2292, 2407, 2466, 2467, 2468, 2475, 2644, 2656, 2669, 2682, 2765, 2793, 2853, 2878, 2933, 3023, 3026, 3094, 3481, 3518, 3550, 3781, 3833, 3840, 3842, 3847, 3852, 3853 and 3856; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 4, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 828, 829, 831, 832, 833, 834, 835, 836, 837 and 838; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE GOVERNOR
April 4, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 59, 1000, 2229, 2337, 2371, 2406, 2428, 2768, 2800, 2827, 2848, 2850, 2851, 2858, 2947, 3067, 3632 and 3849; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**REPORT OF CHIEF ENGROSSING CLERK
April 4, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 828, 829, 831, 832, 833, 834, 835, 836, 837 and 838; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 97

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart,

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

WEDNESDAY, APRIL 4, 2012 – SIXTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, April 5, 2012.